

REMARKS

I. Amendments to the Claims:

Claims 15-23, 25-33, 35-60, 63-68 and 72-76 are pending in this application.

Claim 42 has been amended herewith. Support for this amendment can be found throughout the specification as filed and in the original claims. Accordingly, no new matter has been added.

II. Reply to Restriction Requirement

In the Response to the Restriction Requirement filed September 21, 2005, Applicant elected **Group IV, claims 30-33, 35, 36, 39-42 and 76** with traverse.

Applicant notes that *claims 15, 43-60, 63-68 and 75* are linking claims, and thus will be examined with the elected claims. In addition, Applicant notes that if the linking claims are found to be allowable, the restriction requirement as it relates to Groups I-V will be withdrawn.

Since Applicant elected Group IV for examination, the Examiner has further required under 35 U.S.C. § 121 that Applicant is required to elect:

- (i) a specific pharmaceutical be selected from the groups recited in claims 40, 41, or 42;
- (ii) a specific vaccine antigen from the group recited in claim 45;
- (iii) a specific vaccine from the group recited in claim 63;
- (iv) a specific cytokine from the group recited in claim 67; and
- (v) a specific growth factor is selected from the group recited in claim 68.

With respect to **claim 40**, Applicant elects **LHRH agonists**, with traverse. The claims readable thereon include claims 15, 30, 39, 40, and 41.

With respect to **claim 41**, Applicant elects **leuprolide**, with traverse. The claims readable thereon include claims 15, 30, 39, 40, and 41.

With respect to **claim 42**, Applicant elects **Abarelix**, with traverse. The claims readable thereon include claims 15, 30, 39, and 42.

With respect to **claim 45**, Applicant elects **a cancer**, with traverse. The claims readable thereon include claims 15 and 45.

With respect to **claim 63**, Applicant elects **recombinant vaccines**, with traverse. The claims readable thereon include claims 15 and 63.

With respect to **claim 67**, Applicant elects **Interleukin 7 (IL-7)**, with traverse. The claims readable thereon include claims 15, 66 and 67.

With respect to **claim 68**, Applicant elects **insulin-like growth factor-1 (IGF-1)**, with traverse. The claims readable thereon include claims 15, 66 and 68.

Applicants respectfully traverse these species election requirements for the following reasons.

First, according to MPEP § 803.02, if the members of a Markush group are sufficiently few in number or so closely related that a search and examination of the entire claim can be made without serious burden, the examiner must examine all the members of the Markush group in the claim on the merits, even though they may be directed to independent and distinct inventions. In such a case, the examiner will not follow the procedure described below and will not require provisional election of a single species. (emphasis added). Thus, the MPEP necessarily requires that the Examiner examine all species in the above claims where the number of species recited are sufficiently few in number. In addition, the recited species are also closely related.

Notwithstanding this fact, Applicant further notes that examination of the recited species in the claims in question would not pose an undue burden on the Patent Office.

For the foregoing reasons, Applicant respectfully requests that this Species Election Requirement be reconsidered and withdrawn.

CONCLUSIONS

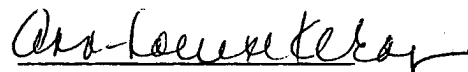
Upon entry of this amendment, claims 15-23, 25-33, 35-60, 63-68 and 72-76 will be pending in this application.

No fees are believed to be due in connection with this correspondence. However, if any fees are due, please charge the payments due to our Deposit Account No. 08-0219.

If a telephone interview would advance prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,

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